

LEGISLATURE OF NEBRASKA  
NINETY-SIXTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 733**

Introduced by C. Peterson, 35; Engel, 17; Janssen, 15; Kremer, 34;  
D. Pederson, 42; Preister, 5; Schmitt, 41; Vrtiska, 1

Read first time January 20, 1999

Committee: Transportation

A BILL

- 1 FOR AN ACT relating to motor vehicles; to amend sections 60-302 and
- 2 60-302.03, Reissue Revised Statutes of Nebraska; to
- 3 change penalties relating to operating or parking an
- 4 unregistered vehicle or a vehicle without license plates
- 5 as prescribed; to harmonize provisions; and to repeal the
- 6 original sections.
- 7 Be it enacted by the people of the State of Nebraska,

1                   Section 1.   Section 60-302, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3                   60-302. (1) No motor vehicle, trailer, semitrailer, or  
4 cabin trailer, unless otherwise expressly provided, shall be  
5 operated or parked on the highways of this state unless the vehicle  
6 is registered in accordance with Chapter 60, article 3. There  
7 shall be a rebuttable presumption that any vehicle stored and kept  
8 more than thirty days in the state is being operated or parked on  
9 the highways of this state and shall be registered in accordance  
10 with Chapter 60, article 3, from the date of title of the motor  
11 vehicle or, if no transfer in ownership of the motor vehicle has  
12 occurred, from the expiration of the last registration period for  
13 which the motor vehicle was registered. Every owner of a vehicle  
14 required to be registered shall make application for registration  
15 to the county treasurer of the county in which the vehicle has  
16 situs as defined in section 60-3001. The application shall be a  
17 copy of a certificate of title or, in the case of a renewal of a  
18 registration, the application shall be the previous registration  
19 period's certificate. A salvage certificate of title as defined in  
20 section 60-129 and a nontransferable certificate of title provided  
21 for in section 60-131 shall not be valid for registration purposes.

22                   (2) An application for registration of a motor vehicle  
23 shall be accompanied by proof of financial responsibility or  
24 evidence of insurance covering the motor vehicle. Proof of  
25 financial responsibility shall be evidenced by a copy of proof of  
26 financial responsibility filed pursuant to subdivision (2), (3), or  
27 (4) of section 60-528 bearing the seal of the Department of Motor  
28 Vehicles. Evidence of insurance shall give the effective dates of

1 the automobile liability policy, which dates shall be evidence that  
2 the coverage is in effect on and following the date of  
3 registration, and shall designate, by explicit description or by  
4 appropriate reference, all motor vehicles covered.

5 (3) Any nonresident owner who desires to register a  
6 vehicle or vehicles in this state shall register in the county  
7 where the vehicle is domiciled or where the owner conducts a bona  
8 fide business.

9 (4) Each new application shall contain, in addition to  
10 other information as may be required by the department, the name  
11 and post office address of the applicant and a description of the  
12 vehicle, including the color, the manufacturer, the identification  
13 number, and the weight of the vehicle required by Chapter 60,  
14 article 3. With the application the applicant shall pay the proper  
15 registration fee as provided in sections 60-305.08 to 60-339 and  
16 shall state whether the vehicle is propelled by alternative fuel as  
17 defined in section 66-686 and, if alternative fuel, the type of  
18 fuel. The form shall also contain a notice that bulk fuel  
19 purchasers may be subject to federal excise tax liability. The  
20 department shall prescribe a form, containing the notice, for  
21 supplying the information for vehicles to be registered. The  
22 county treasurer shall include the form in each mailing made  
23 pursuant to section 60-3003. The county treasurer or his or her  
24 agent shall notify the Motor Fuel Tax Enforcement and Collection  
25 Division of the Department of Revenue whenever a vehicle powered by  
26 an alternative fuel as defined in section 66-686 is registered.  
27 The notification shall include the name and address of the  
28 registrant, the date of registration, the type of motor vehicle

1 registered, and the type of alternative fuel used to propel the  
2 vehicle as indicated on the registration application.

3 (5) The county treasurer or his or her agent shall  
4 collect, in addition to the registration fees, one dollar and fifty  
5 cents for each certificate issued and shall remit one dollar and  
6 fifty cents of each additional fee collected to the State Treasurer  
7 for credit to the Department of Motor Vehicles Cash Fund.

8 (6) The county treasurer or his or her agent shall  
9 collect, in addition to other registration fees, one dollar and  
10 fifty cents for each certificate issued and shall remit the fee to  
11 the State Treasurer for credit to the State Recreation Road Fund.

12 ~~(7) If a citation is issued to an owner or operator of a~~  
13 ~~vehicle for a violation of this section and the owner properly~~  
14 ~~registers and licenses the vehicle not in compliance and pays all~~  
15 ~~taxes and fees due and the owner or operator provides proof of such~~  
16 ~~registration to the prosecuting attorney within ten days after the~~  
17 ~~issuance of the citation, no prosecution for the offense cited~~  
18 ~~shall occur.~~

19 ~~(8)~~ If a county board consolidates services under the  
20 office of a designated county official other than the county  
21 treasurer pursuant to section 23-186, the powers and duties of the  
22 county treasurer relating to registration under sections 60-301 to  
23 60-347 shall be performed by the designated county official.

24 ~~(9)~~ (8) A county treasurer or county official or his or  
25 her agent may accept credit cards, charge cards, or debit cards as  
26 a means of payment for registration pursuant to section 13-609.

27 Sec. 2. Section 60-302.03, Reissue Revised Statutes of  
28 Nebraska, is amended to read:

1                   60-302.03. (1) Any person who operates or parks a motor  
2 vehicle, semitrailer, or cabin trailer on any highway, which  
3 vehicle has not been registered as required by section 60-302 or is  
4 without license plates as required by Chapter 60, article 3, shall  
5 be subject to having such vehicle impounded pursuant to subsection  
6 (2) of this section. the penalty provided in section 60-348.

7                   A person who parks a motor vehicle on any highway, which  
8 vehicle has been properly registered in this state but such  
9 registration has expired, shall not be in violation of this section  
10 or section 60-302 or subject to the penalty provided in section  
11 60-348, unless thirty days have passed from the expiration of the  
12 prior registration.

13                   (2)(a) A vehicle that is operated or parked in violation  
14 of subsection (1) of this section is declared to be a public  
15 nuisance and shall be impounded. The vehicle shall be returned to  
16 the owner when such owner has registered the vehicle as required by  
17 section 60-302 and obtained license plates as required by Chapter  
18 60, article 3.

19                   (b) The vehicle shall be impounded at the expense of the  
20 owner.

21                   (c) Any vehicle impounded shall be released to the holder  
22 of a bona fide lien on the vehicle executed prior to such  
23 impoundment when possession of the vehicle is requested as provided  
24 by law by such lienholder for purposes of foreclosing and  
25 satisfying his or her lien on the vehicle.

26                   (d) Any person who, at the direction of a peace officer,  
27 tows and stores a vehicle pursuant to this section has a lien upon  
28 the vehicle while it is in his or her possession for the reasonable

1 towing and storage charges and has a right to retain the vehicle  
2 until the charges are paid.

3           Sec. 3. Original sections 60-302 and 60-302.03, Reissue  
4 Revised Statutes of Nebraska, are repealed.